

STATE OF WISCONSIN  
OFFICE OF THE COMMISSIONER OF INSURANCE

SCHEDULE OF TAXES AND FEES  
(Nondomestic Life and Accident and Health Insurers)

INSTRUCTIONS

Commencing with taxes due on premiums received for calendar year 1989, retaliatory/reciprocal taxes for nondomestic life and accident and health insurers will be computed on an aggregate basis.

When computing the Wisconsin minimum tax, dividends left to accumulate at interest cannot be deducted either when placed on deposit or when withdrawn and are not to be included with dividends paid in cash unless the withdrawal is made within one year after the date such dividend became due on the policy. Previously accumulated dividends applied to purchase paid-up additions must be reported as premium income.

Returns on the basis of the regulations of the state of domicile must be shown. If the gross premiums reported do not agree with Schedule "T", show reconciliation in detail on a separate sheet.

Applicable sections of the Wisconsin Statutes read as follows:

- S. 76.62      **License fees; calculation of.** All license fees and taxes levied under any provision of law upon gross premiums other than life insurance premiums against any insurer shall be uniformly calculated on the amount of gross premiums received for direct insurance less return premiums and cancellations and returns from savings and gains on all insurance other than reinsurance by the insurer during the preceding year in this state.
- S. 76.635      **Certified capital investment credit.** (2) Credit. An insurer that makes a certified capital investment may credit against the fees due under s. 76.60, 76.63, 76.65 or 76.67, for 10 years beginning with the year of the investment, either 10% of that investment or the amount by which the sum of the insurer's certified capital investments and the insurer's qualified investments exceeds the insurer's qualified investments in the taxable year before the insurer first claimed the credit under this section, whichever is less.
- (3) Carry-forward. If the credit under sub. (2) is not entirely offset against the fees under s. 76.60, 76.63, 76.65, 76.66 or 76.67 otherwise due, the unused balance may be carried forward and credited against those fees in the following years to the extent that it is not offset by those fees otherwise due in all the years between the year in which the investment was made and the year in which the carry-forward credit is claimed.
- S. 76.64      **Quarterly installments.** Insurers shall pay installments of the total estimated payment under ss. 76.60, 76.63, 76.65, and 76.66 on or before April 15, June 15, September 15, and December 15. Every insurer shall make a return for the preceding calendar year on or before March 1 setting forth the information that the commissioner of insurance reasonably requires on forms prescribed by the commissioner. On or before March 1, the insurer shall pay any additional amount due for the preceding calendar year. Overpayment will be credited on the amount due April 15.
- S. 76.645      **Penalties.** (1) Late Payment. An insurer that fails to make quarterly payments under s. 76.64 of at least 25% of either the total tax paid for the previous calendar year or 80% of the actual tax for the current calendar year is liable, in addition to the amount due, for interest of 1.5% of the amount due and unpaid for each month or part of a month that the amount due, together with any interest, remains unpaid.
- (2) Negligence. An insurer that fails to pay an amount due, or file a return required, under s. 76.64, unless the insurer shows that the failure is due to reasonable cause and not due to willful neglect, is liable for the greater of the following amounts:
- (a) Five Hundred Dollars
- (b) Five percent of the amount due for each month or fraction of a month during which the failure continues, but not more than 25% of the amount due.

- S. 76.65 **Life insurers; license fee.** Every insurer doing a life insurance business with this state, except fraternal as defined in s. 614.01, shall pay into the state treasury as an annual license fee for transacting such business the amounts following:
- (2) Foreign Insurers. If any such insurer is organized outside of this state, it shall pay into the state treasury, as such annual license fee, 2% upon the excess of the gross premiums received in money or otherwise during the preceding calendar year on all policies or contracts of insurance on the lives of resident of this state after deducting all sums apportioned to premium-paying policies on the lives of residents of this state from annual distribution of profits, savings, earnings or surplus which before the expiration of the calendar year next succeeding such apportionment have been either paid in cash or applied in part payment of premiums.
- S. 76.66 **Retaliatory taxation of nondomestic insurers.** (1) In this section, "taxes" means the taxes imposed on nondomestic insurers under ss. 76.60, 76.63, 76.65 (2), and 601.93 less offsets allowed against those taxes under s. 646.51 (7) or the amounts imposed on domestic insurers by another state or foreign country for similar purposes.
- (2) If another state or foreign country requires a domestic insurer doing business in that state or country to pay taxes greater in the aggregate than the aggregate amount of taxes that a nondomestic insurer doing business in this state would pay, each insurer domiciled in that state or foreign country shall pay to this state for the same year the amount that a domestic insurer doing a similar business would be required to pay to the other state or foreign country.
- S. 76.67 **Reciprocal taxation of foreign insurers.** (1) In this section, "taxes" means the taxes imposed on foreign insurers under ss. 76.60, 76.63, 76.65 (2), and 601.93 less offsets allowed against those taxes under s. 646.51 (7) or the amounts imposed on domestic insurers by another state or foreign country for similar purposes.
- (2) If any domestic insurer is licensed to transact insurance business in another state, this state may not require similar insurers domiciled in that other state to pay taxes greater in the aggregate than the aggregate amount of taxes that a domestic insurer is required to pay to that other state for the same year less the credit under s. 76.635, except that the amount imposed shall not be less than the total of the amounts due under ss. 76.65 (2) and 601.93 and, if the insurer is subject to s. 76.60, 0.375% of its gross premiums, as calculated under s. 76.62, less offsets allowed under s. 646.51 (7) or under s. 76.635 against that total, and except that the amount imposed shall not be less than the amount due under s. 601.93.
- S. 601.55 **Nondomestic insurers; additional requirements.** If another state or a foreign country requires domestic insurers doing business in that state or foreign country to deposit security, to pay a fee or tax not included in the computation under s. 76.66, to pay a fine or penalty or to comply with an obligation, prohibition or restriction that is in addition to or greater than requirements imposed by this state on nondomestic insurers doing a similar business in this state, this state may, as a condition for issuing a license to an insurer domiciled in that state or foreign country, impose a similar security requirement, fee, tax, fine, penalty, obligation, prohibition or restriction.
- Security Fund Assessment Refunds.** If assessment credits have been taken on assessments for which refunds have been issued, all or part of such credits may be "recaptured" by the state of Wisconsin. To determine if any amount is payable, calculate the allowable assessment credits based on the net assessment paid (original assessment paid less the refund received). Compare the total of related credits taken in prior years, to the amount allowable based on the net assessment, including current year. Any excess taken over the amount allowable should be included on page 19, line 25B as a negative credit and added to the total amount of taxes due.

Additional instructions are contained within the Schedule of Taxes and Fees and must be followed in completing this form.

**SCHEDULE OF TAXES AND FEES**  
**Nondomestic Life and Accident**  
**and Health Insurers**

(For Companies Claiming the Certified  
Capital Investment Credit)



State of Wisconsin  
Office of the Commissioner of Insurance  
P. O. Box 7873  
Madison, WI 53707-7873

**Ref:** Sections 76.62, 76.635, 76.64, 76.645, 76.65, 76.66,  
76.67, 76.68, 601.31, 601.55, and 646.51, Wis. Stat.

**INSTRUCTIONS:** Submit check payable to Commissioner of Insurance along with payment form to Drawer #566,  
Milwaukee, WI 53293, on or before **MARCH 1**. Complete, sign, and return this form with annual  
statement to the above address by **MARCH 1**.

Insurer Name		NAIC Group	NAIC Number	Employer's ID Number	
Mailing Address			City	State	Zip Code
State of Domicile or Entry	Tax & Fee Contact Person Name			Telephone Number	

For Year Ending December 31, \_\_\_\_\_

**PART A: SUMMARY OF TAXES AND FEES**

**Premium Taxes**

- A1. Total Taxes Payable (largest number on line B26.)  
A2. Certified Capital Investment Credit\*  
A3. Prior Year Overpayment  
A4. Quarterly Tax Payments to Date  
A5. Net Tax Due (Line A1. minus Lines A2., A3., and A4.)

Total	For Office Use Only Do Not Write in This Column

**Fees**

- A6. Annual Statement Filing Fee: Subject to Retaliation.  
Minimum Fee \$100.00  
A7. Certificate of Authority Fee: Subject to Retaliation.  
Minimum Fee \$100.00  
A8. Fee Collected Under Retaliatory Law (Specify)  
\_\_\_\_\_  
A9. Fee Collected Under Retaliatory Law (Specify)  
\_\_\_\_\_  
A10. Total Fees Due (Lines A6. through A9.)  
A11. Net Taxes and Fees Due (Line A5. plus Line A10.) If  
negative amount, overpayment will be applied to  
quarterly installment due April 15

	Initial As Vouchered: 1. To Allocation Screen _____ 2. To Amount in Letter _____

\* Should not exceed Line A1

I certify that the above is a true and correct exhibit of premiums collected and of authorized deductions pertaining to business  
transacted in Wisconsin in the past calendar year and is in accordance with requirements of applicable Wisconsin Statutes.

Title of Officer	Name of Officer (Type or Print)
Date	Signature of Officer

**SCHEDULE OF TAXES AND FEES****PART B: PREMIUM TAX CALCULATION**

Insurer Name	State of Domicile or Entry
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A nondomestic insurer doing business in Wisconsin shall pay the same amount in aggregate "taxes" (as defined in ss. 76.66 and 76.67, Wis. Stat.) that a Wisconsin insurer doing a similar business would be required to pay to the nondomestic insurer's domiciliary state. The amount due, however, shall not be less than the Wisconsin minimum tax, before the application of the Certified Capital Investment Credit.

**PREMIUMS**

- B1. Gross premiums received current year including dividends applied in payment of renewal premiums (net of return premiums)
- B2. Dividends applied to purchase paid-up additional insurance
- B3. Dividends applied to shorten premium-paying period
- B4. Premiums for insurance on employees and agents:
- a. Agent and employee contributions
  - b. Insurer contributions
- B5. Premiums waived under disability and other contract provisions
- B6. Previously accumulated dividends used to purchase additional paid-up insurance
- B7. Other (explain)
- 
- B8. Total Life and Accident & Health (Lines B1. through B7)

Wisconsin Statutory Tax		State of Domicile or Entry Basis	
1 Life	2 Accident & Health	3 Life	4 Accident & Health
	NA		
	NA		
	NA		

**DEDUCTIONS**

- B9. Dividends paid or credited to policyholders—current year
- a. Reduction of premiums
  - b. Insurer contributions
  - c. Cash
  - d. Left to accumulate
  - e. Applied to purchase paid-up additional insurance
  - f. Applied to shorten premium-paying period
- B10. Premiums for insurance on employees and agents:
- a. Agent and employee contributions
  - b. Insurer contributions

NA	NA		
	NA		
	NA		
NA	NA		
NA	NA		

Insurer Name	State of Domicile or Entry
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# **DEDUCTIONS (Continued)**

- B11. Premiums waived under disability and other contract provisions
- B12. Previously accumulated dividends used to purchase additional paid-up insurance
- B13. Other (explain)
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Wisconsin Minimum Tax		State of Domicile or Entry Basis	
1 Life	2 Accident & Health	3 Life	4 Accident & Health
NA	NA		
NA	NA		

# **TOTALS**

- B14. Total Life and Accident & Health Deductions (Lines B9. through B13.)
- B15. Net Taxable Premiums (Line B8. minus Line B14.)
- B16. TAX RATE
- B17. Tax (Line B15. x Line B16.)


- B18. Consideration for Annuities Received in Current year (Net of Returns)
- B19. Total Annuity Deductions (specify)
- B20. Net Taxable Annuity Considerations (Line B18. minus Line B19.)
- B21. TAX RATE—Annuities
- B22. Total Annuity Tax (Line B20. x Line B21.)
- B23. Total All Taxes (Line B17. plus Line B22.)
- B24. Aggregate Taxes
- B25. Security or Guaranty Fund Assessment Credit\*\* (Attach a schedule of credits claimed)
- B26. Net Aggregate Taxes (Line B24. - B25.)

		Annuity	
		%	

\* This is the Wisconsin minimum tax—Alien insurers not declaring a state of entry, use 2% in the Wisconsin A&H Column.

\*\* Section 646.51 (7) (b), Wis. Stat.—If the premium rates on a class of business are fixed so that it is not possible for an insurer to recoup its assessments by increasing premium rates on the class of business, the insurer may offset 20% of the amount of the Wisconsin portion of the assessment against its tax liabilities to this state, other than real property taxes, in each of the 5 calendar years following the year in which the assessment was paid.